



Practitioner's Docket No. MSU 4.1-458

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

are application of: Linda S. Mansfield, Mary Rossano, Alice Murphy  
and Ruth Vrable  
Application No.: 09 / 513,086 Group No.: 1632  
Filed: February 24, 2000 Examiner: Joseph Woitach  
For: VACCINE TO CONTROL EQUINE PROTOZOAL MYELOENCEPHALITIS  
IN HORSES

Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is
- ☐ a small entity. A statement:
    - ☐ is attached.
    - ☐ was already filed.
  - ☒ other than a small entity.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 11/15/01

Tammi L. Taylor  
Signature

Tammi L. Taylor  
(type or print name of person certifying)

(Amendment Transmittal [9-19]—page 1 of 4)

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JAN 07 2002

TECH CENTER 1600/2900

1632

### EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

| Extension<br>(months)                 | Fee for other than<br>small entity | Fee for<br>small entity |
|---------------------------------------|------------------------------------|-------------------------|
| <input type="checkbox"/> one month    | \$ 110.00                          | \$ 55.00                |
| <input type="checkbox"/> two months   | \$ 390.00                          | \$ 195.00               |
| <input type="checkbox"/> three months | \$ 890.00                          | \$ 445.00               |
| <input type="checkbox"/> four months  | \$ 1,390.00                        | \$ 695.00               |

Fee: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this is a conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1)                                    |      | (Col. 2)                       |        | (Col. 3)      | SMALL ENTITY     |            | OTHER THAN A SMALL ENTITY |                  |            |
|---|------|--------------------------------|--------|---------------|------------------|------------|---------------------------|------------------|------------|
| CLAIMS REMAINING AFTER AMENDMENT            |      | HIGHEST NO PREVIOUSLY PAID FOR |        | PRESENT EXTRA | RATE             | ADDIT. FEE | OR                        | RATE             | ADDIT. FEE |
| TOTAL                                       | • 15 | MINUS                          | •• 50  | = -0-         | x\$9=            | \$         |                           | x\$18=           | \$ -0-     |
| INDEP.                                      | • 3  | MINUS                          | ••• 17 | = -0-         | x\$42            | \$         |                           | x\$4=            | \$ -0-     |
| ☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |      |                                |        |               | + \$140          | \$         |                           | + \$280          | \$ -0-     |
|   |      |                                |        |               | TOTAL ADDIT. FEE | \$         | OR                        | TOTAL ADDIT. FEE | \$ -0-     |

### FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account  
No. 13-0610

### AND/OR

- ☒ If any additional fee for claims is required, charge Account  
No. 13-0610

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SIGNATURE OF PRACTITIONER

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MSU 4.1-458  
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Applicants: Linda S. Mansfield, Mary Rossano, Ali  
Murphy, and Ruth Vrable  
Serial No. 09/513,086 Group Art Unit: 1632  
Filing Date: February 24, 2000  
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Examiner: Joseph Woitach

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Box Non-Fee Amendment

Commissioner of Patents and Trademarks

Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. § 1.111

Dear Sir:

In response to the Office Action dated August 15, 2001, the applicants amend and remark as set forth below.

In the Claims:

Please cancel Claims 23 to 28.

Please amend Claims 4, 13, and 45 as follows.

-4- (Thrice amended)

A vaccine for preventing disease in an equid caused by a *Sarcocystis neurona* infection comprising a